

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 316 Session of
1989

INTRODUCED BY GREENWOOD, JUBELIRER, LOEPER, HOPPER, MUSTO,
JONES, PECORA, AFFLERBACH, DAWIDA, REIBMAN, FISHER,
ANDREZESKI, SALVATORE AND PETERSON, JANUARY 30, 1989

AS AMENDED ON THIRD CONSIDERATION, APRIL 11, 1989

AN ACT

1 Providing for the establishment of a Family Preservation Program
2 by the Department of Public Welfare; providing for grants to
3 counties for programs enabling children who would otherwise
4 be subject to out-of-home placement to remain at home; and
5 making an appropriation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Family
10 Preservation Act.

11 Section 2. Legislative findings and declarations of policy.

12 (a) Findings.--The General Assembly finds and declares that:

13 (1) The family is the basic institution in society in
14 which our children's sense of self-esteem and positive self-
15 image are developed and nurtured. These feelings and values
16 are essential to a healthy, productive and independent life
17 during adulthood.

18 (2) Dependent children are separated from their families
19 through out-of-home placement in foster care or group home

1 programs.

2 (3) Such out-of-home placement deprives children of the
3 unique bond which exists in the parent-child relationship,
4 leaving emotional scars on such children which may never
5 fully heal.

6 (4) Despite the best efforts of county children and
7 youth agencies to select appropriate foster care families,
8 and despite the deep commitment to these children given by
9 many foster parents, children are better off emotionally when
10 their needs can be met by their biological parents.

11 (5) The average length of stay in foster care in
12 Pennsylvania is three and one-half years at an average cost
13 of \$19,250 per child.

14 (b) Declarations.--It is therefore the policy of this
15 Commonwealth that:

16 (1) The unique bond which exists between parent and
17 child must be recognized as fundamental to the growth and
18 development of children.

19 (2) The treatment of neglected and abused children must
20 include a commitment to strengthening the families of these
21 children through the intensive application of social services
22 and family therapy.

23 Section 3. Definitions.

24 The following words and phrases when used in this act shall
25 have the meanings given to them in this section unless the
26 context clearly indicates otherwise:

27 "Administrator." The administrator of a county children and
28 youth agency, as authorized by the act of June 13, 1967 (P.L.31,
29 No.21), known as the Public Welfare Code.

30 "County." A county or institution district responsible for

1 administering child welfare programs and services under the act
2 of June 13, 1967 (P.L.31, No.21), known as the Public Welfare
3 Code.

4 "Department." The Department of Public Welfare of the
5 Commonwealth.

6 Section 4. Family Preservation Program.

7 (a) Establishment.--The department, through grants to
8 counties, shall establish and supervise a program, to be known
9 as the Family Preservation Program, which will provide intensive
10 intervention services to families whose children are at risk of
11 immediate out-of-home placement under the custody of a county
12 children and youth agency.

13 (b) Purpose.--The Family Preservation Program shall be
14 designed to preserve families through the creation, within
15 families, of positive, long-term changes which will enable
16 children who are victims of neglect or abuse or whose parents
17 lack the ability to control their child's behavior without in-
18 home family support to remain with their families, thereby
19 reducing the more expensive and potentially psychologically
20 damaging incidence of out-of-home placement in foster care or
21 group homes.

22 (c) Grants to counties.--The department shall award grants
23 to counties without any county matching fund requirements to
24 provide financial support for the development and implementation
25 of Family Preservation Programs. During the initial phase-in
26 period of this program, such grants will be awarded by the
27 department to counties on an open competitive basis, after
28 review of proposals submitted to the department by interested
29 counties. Counties, acting through their children and youth
30 agencies, may operate these programs directly with county

1 employees or may contract with other public or private agencies
2 as may be appropriate to provide family preservation services.

3 (d) Eligible families.--Only those families, as determined
4 by the county children and youth administration, in which one or
5 more children are at imminent risk of separation from their
6 families through placement in foster care, a group home or other
7 appropriate facility are eligible to receive family preservation
8 services. All members of the families who accept such services
9 shall be responsible for cooperating fully with the Family
10 Preservation Plan developed for each family under subsection
11 (e)(4). Families in which children are at imminent risk of
12 sexual abuse or physical endangerment perpetrated by a member of
13 their immediate household are not eligible to receive family
14 preservation services.

15 (e) Delivery of family preservation services.--Services
16 delivered to eligible families under this program must be
17 provided in accordance with the following requirements:

18 (1) Intensity of services.--Each family preservation
19 caseworker will normally provide services to two families at
20 any given time, although caseloads of up to five families may
21 be assigned if some of those families are receiving brief,
22 periodic follow-up services.

23 (2) Duration of service.--Each family will normally
24 receive intensive family preservation service, beginning with
25 the crisis of imminent risk of placement of one or more
26 children, for six to eight weeks, with a maximum of three
27 months of service for all eligible families.

28 (3) Accessibility of services.--Family preservation
29 services will normally be provided in the family's home and
30 community consistent with the needs of family members. Family

1 preservation ~~workers~~ CASEWORKERS shall be normally available <—
2 by telephone and on call for visits to families at all times
3 during the period of service to each family.

4 (4) Family Preservation Plan.--Within the first week of
5 initiating family preservation services, the family
6 preservation caseworker shall develop, after thorough
7 consultation with the family receiving such service, a Family
8 Preservation Plan which shall clearly state the specific
9 goals and priorities, and approaches to be utilized to reach
10 these goals, for the time-limited duration of these services.

11 ~~(f) Qualifications of family preservation workers. A public <—~~
12 ~~or private agency staff member who provides direct service to~~
13 ~~eligible families in this program must possess a bachelor's~~
14 ~~degree in a human service related field and five years~~
15 ~~experience providing direct services to children, youth or their~~
16 ~~families, or possess an MSW degree with one year experience. A~~
17 ~~person who supervises caseworkers who provide the direct~~
18 ~~services to eligible families must possess an MSW degree and~~
19 ~~have at least three years of supervisory experience. All such~~
20 ~~staff must also successfully complete at least 40 hours of~~
21 ~~intensive training prior to providing direct service under this~~
22 ~~program and must thereafter complete at least 40 hours of~~
23 ~~additional training each year in accordance with standards~~
24 ~~established by the department.~~

25 (F) QUALIFICATIONS OF FAMILY PRESERVATION WORKERS.-- <—

26 (1) THE FOLLOWING SHALL APPLY TO COUNTIES OF THE FIRST
27 CLASS, SECOND CLASS, SECOND CLASS A AND THIRD CLASS: A PUBLIC
28 OR PRIVATE AGENCY STAFF MEMBER WHO PROVIDES DIRECT SERVICE TO
29 ELIGIBLE FAMILIES IN THIS PROGRAM MUST POSSESS A BACHELOR'S
30 DEGREE IN A HUMAN SERVICE RELATED FIELD AND THREE YEARS

1 EXPERIENCE PROVIDING DIRECT SERVICES TO CHILDREN, YOUTH OR
2 THEIR FAMILIES, OR POSSESS A MASTER'S DEGREE IN A HUMAN
3 SERVICE RELATED FIELD WITH ONE YEAR EXPERIENCE. A PERSON WHO
4 SUPERVISES CASEWORKERS WHO PROVIDE THE DIRECT SERVICES TO
5 ELIGIBLE FAMILIES MUST POSSESS A MASTER'S DEGREE IN A HUMAN
6 SERVICE RELATED FIELD AND HAVE AT LEAST ONE YEAR OF
7 SUPERVISORY EXPERIENCE.

8 (2) THE FOLLOWING SHALL APPLY TO COUNTIES OF THE FOURTH
9 CLASS THROUGH EIGHTH CLASS: A PUBLIC OR PRIVATE AGENCY STAFF
10 MEMBER WHO PROVIDES DIRECT SERVICE TO ELIGIBLE FAMILIES IN
11 THIS PROGRAM MUST POSSESS A BACHELOR'S DEGREE IN A HUMAN
12 SERVICE RELATED FIELD AND TWO YEARS EXPERIENCE PROVIDING
13 DIRECT SERVICES TO CHILDREN, YOUTH OR THEIR FAMILIES. A
14 PERSON WHO SUPERVISES CASEWORKERS WHO PROVIDE THE DIRECT
15 SERVICES TO ELIGIBLE FAMILIES MUST POSSESS A BACHELOR'S
16 DEGREE IN A HUMAN SERVICE RELATED FIELD AND TWO YEARS OF
17 SUPERVISORY EXPERIENCE.

18 (3) ALL SUCH STAFF, REGARDLESS OF COUNTY CLASS, MUST
19 ALSO SUCCESSFULLY COMPLETE AT LEAST 40 HOURS OF INTENSIVE
20 TRAINING PRIOR TO PROVIDING DIRECT SERVICE UNDER THIS PROGRAM
21 AND MUST THEREAFTER COMPLETE AT LEAST 40 HOURS OF ADDITIONAL
22 TRAINING EACH YEAR IN ACCORDANCE WITH STANDARDS ESTABLISHED
23 BY THE DEPARTMENT.

24 (4) NONE OF THE QUALIFICATIONS SET FORTH IN THIS
25 SUBSECTION SHALL APPLY TO PARAPROFESSIONALS PROVIDING SUPPORT
26 SERVICES TO ELIGIBLE FAMILIES RECEIVING INTENSIVE FAMILY
27 SERVICE.

28 (g) Coordination.--The department shall ensure that counties
29 administering Family Preservation Programs take the steps
30 necessary to coordinate the service provided under this act with

1 services available through other State and county human service
2 agencies appropriate to the needs of families receiving service
3 under this act. Administrators shall be responsible for ensuring
4 coordination with related human services such as mental health
5 and drug and alcohol programs also administered through county
6 agencies.

7 Section 5. Powers and duties of department.

8 (a) Quality assurance.--In order to ensure the orderly
9 development and implementation of high-quality services to
10 Pennsylvania families under this program, the department shall
11 be responsible for providing information, technical assistance
12 and training to county personnel who may be responsible for
13 developing, administering and overseeing the delivery of family
14 preservation services. The department shall disseminate among
15 all counties detailed information concerning program models,
16 service delivery methods, staff recruitment and training, and
17 other components of family preservation services which the
18 department has determined to be particularly effective in
19 ensuring well-managed, high-quality services.

20 (b) Program evaluation.--On or before November 1 following
21 the effective date of this act, and on or before that date in
22 every succeeding year, the department shall provide a report
23 covering the preceding fiscal year to the Secretary of the
24 Senate and the Chief Clerk of the House of Representatives for
25 distribution to members of the General Assembly. The report
26 shall provide an evaluation of the effectiveness of the program
27 throughout this Commonwealth in meeting the stated purposes of
28 this act. The annual report shall contain, but not be limited
29 to, the following information for each county participating in
30 this program and Statewide:

1 (1) The number of families receiving service through
2 this program.

3 (2) The number of children at risk of placement prior to
4 initiation of service in families receiving service through
5 this program.

6 (3) Among those children in paragraph (2), the number of
7 children placed in foster care, in group homes and in other
8 facilities outside their homes and families.

9 (4) The average cost of the service provided under this
10 act to families receiving service through this program.

11 (5) The estimated cost of out-of-home placement, through
12 foster care, group homes or other facilities, which would
13 otherwise have been expended on behalf of these children at
14 risk of placement who successfully remain united with their
15 families as a result of service provided through this
16 program, based on average lengths of stay and average cost of
17 such out-of-home placements.

18 (6) The number of children who remain unified with their
19 families for one, two and three years after receiving
20 services under this program.

21 (7) An overall statement of the progress of these
22 programs during the preceding year, along with
23 recommendations for improvements.

24 Section 6. Appropriation.

25 The sum of \$5,000,000, or as much thereof as may be
26 necessary, is hereby appropriated to the Department of Public
27 Welfare for the fiscal year July 1, 1989, to June 30, 1990, to
28 carry out the provisions of this act.

29 Section 7. Effective date.

30 This act shall take effect July 1, 1989.